

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 5:21 CR 456
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
ARTHUR J. BAILEY,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Amanda M. Knapp, regarding the change of plea hearing of Arthur J. Bailey, which was referred to the Magistrate Judge with the consent of the parties.

On June 10, 2021 the government filed a 2 count Indictment, charging Defendant Bailey with Conspiracy to Possess with Intent to Distribute a Controlled Substance and Attempted Possession with Intent to Distribute a Controlled Substance, in violation of Title 21 § 841(a)(1) and (b)(1)(a), and 846. On June 22, 2021 then Magistrate Judge Kathleen B. Burke held an arraignment, during which Mr. Bailey entered a plea of not guilty to the charges. On October 13, 2022 Magistrate Judge Knapp received Defendant's plea of guilty to counts 1, and 2 of the Indictment, with a written plea agreement, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Bailey is found to be competent to enter a plea and to understand his constitutional rights. He is aware of

the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Arthur J. Bailey is adjudged guilty to counts 1 and 2 of the Indictment, in violation of Title 21 § 841(a)(a) and (b)(1)(a). This matter was referred to the U.S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be held on February 3, 2023 at 11:00 a.m. in Courtroom 19A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

November 18, 2022